



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

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JUL 27 2007

Laurence K. Lau, Esq.  
Deputy Director  
Hawaii Department of Health  
P.O. Box 3378  
Honolulu, HI 96801-3378

Dear Mr. Lau:

Thank you for submitting the Total Maximum Daily Loads (TMDLs) for total suspended solids, nitrogen, and phosphorus in Kapa'a Stream. The TMDL submittal was dated May 3, 2007 and received on May 7, 2007.

Based on EPA's review of the TMDL submittal under Clean Water Act Section 303(d), I have concluded that the revised TMDLs adequately address the pollutants of concern and, upon implementation, will result in attainment of the applicable water quality standards. These TMDLs include wasteload and load allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety.

The State of Hawaii provided sufficient opportunities for public review and comment on the TMDLs. All required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to Clean Water Act Section 303(d)(2).

The State of Hawaii submittal also contains a general plan for implementing these TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan provided with the TMDLs. However, EPA generally concurs with the State of Hawaii's proposed implementation approaches.

The enclosed review discusses the basis for this decision in greater detail. I appreciate the State's work to adopt these revised TMDLs and look forward to our continuing partnership in TMDL development. If you have questions concerning this approval, please call me at (415) 972-3572 or Lynn Suer at (415) 972-3148.

Sincerely yours,

  
Alexis Strauss, Director  
Water Division

27 July 2007

Enclosure